

Government of the District of Columbia

ZONING COMMISSION



ZONING COMMISSION ORDER NO. 312

Case No. 79-20

January 10, 1980

The application in Case No. 79-20 is a request from the Friends Committee on National Legislation to amend the D.C. Zoning Map from R-5-B to SP-1, for Lot 844 in Square 757, to allow the construction of a new office building. The property is located at the southeast corner of the intersection of Second and "C" Streets, N.E. and comprises 4,125 square feet.

The applicant has also requested that the Zoning Commission initiate proceedings to consider a map change from R-5-B to SP-1 for lots 43, 841, and 850, in Square 757. These lots, along with the applicant's lot 844, occupy the total frontage along Second Street from "C" Street to Maryland Avenue, N.E. The total square footage of the subject lots not owned by the applicant is 32,950 square feet.

The Commission notes that the owners of lots 43, 841 and 850, the Young Womens Christian Home and the Veterans of Foreign Wars have indicated in letters to the applicant that they do not wish to officially apply for a change of zoning. However, they would not object to their property being rezoned.

The proposed development calls for the existing building on the 4,125 square foot site to be replaced with a new building having three stories and two cellars. The gross floor area of the proposed building for zoning purposes, will be approximately 10,312 square feet with an additional 6,727 square feet in cellar space. There will be four parking spaces accessible from the ten foot alley in the rear. A roof garden will also be provided.

The proposed SP-1 zoning on the site will allow as a matter of right, any use permitted under any R-5 District except hotel, and other uses such as religious reading room, community center building and artist studio. It will allow with the approval of the Board of Zoning Adjustment, hotel use and office for a chancery, international agency, non-profit organization, labor union, and professional persons such as doctors, engineers and lawyers.

The SP-1 zoning will allow a maximum height of sixty-five feet and a maximum floor area ratio of 4.0 for apartment house or other residential use and an FAR of 2.5 for hotel or other permitted uses.

The existing R-5-B zoning on the site permits all kinds of residential uses as a matter of right including medium density apartments, and philanthropic or eleemosynary institutions with a maximum floor area ratio of 1.8 and a height of sixty feet.

The existing R-5-B zoning requires one parking space for each two dwelling units or sleeping rooms or suites, whereas the proposed SP-1 zoning would require one parking space for each four dwelling units or sleeping rooms or suites, and one parking space for each 1,800 square feet of gross floor area of office space with the exception of the first 2,000 square feet.

The frontage of Square 757 along "C" and 3rd Streets and also Maryland Avenue is developed primarily with rowhouses and apartments.

The property is located within the Capitol Hill Historic District. The R-5-B zoning District in which the property is located extends several blocks to the east and to the south and is developed predominantly with residential uses. The frontage along Massachusetts Avenue one block north of the subject property is zoned C-2-A and is developed with residential and commercial uses.

As reported by the Office of Planning and Development, the Commission believes that the city goals and objectives for this area indicate that it would be desirable to maintain the existing residential character and stability of the area and discourage the expansion of office use and related increase in traffic and parking in the residential community. The existing development on the east side of Second Street, where the property is located, is significantly different from the west side, in that the predominant use on the west side of Second Street is Capitol office buildings and the predominant use on the east side is mainly residential. A map change at the subject property will introduce a new zoning category on the east side of Second Street.

The Commission further notes that the area is included in the area for which the Architect of the Capitol is preparing a master plan. While that plan may support that there be some kind of buffer or transition to soften the change between the high density Capitol complex to the west and the residential area to the east, that plan is still in the process of preparation and review. The Commission therefore believes that it is premature to set this case down for hearing at this time.

The Commission further notes that the only property which is before it in the application for rezoning is lot 844 in Square

757. The owners of the other properties suggested for inclusion have declined to apply for rezoning for those properties. Without a proper planning basis to support such a change, the Commission believes that approval of the application would constitute "spot zoning", a legally unacceptable practice.

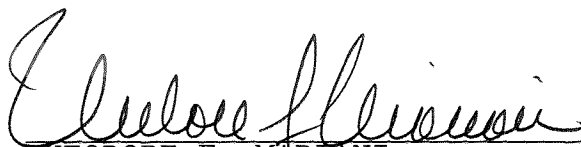
The Office of Planning and Development by memorandum dated January 7, 1980, recommended that the application not be set down for hearing based on the fact that the zoning change as requested would be inconsistent with the development goals and policy objectives for this area. The existing zoning and character of the development on the east side of Second Street is predominantly residential and should be preserved.

Advisory Neighborhood Commission 6B, in which the subject site is located, by letter dated January 10, 1980, stated that on Tuesday, January 8, 1980, the Commission met and voted unanimously to urge the Zoning Commission not to grant a public hearing concerning the subject case.

The Chairperson of the Capitol Hill Restoration Society Zoning and Planning Committee has indicated in a communication to the Office of Planning and Development and by letter received January 10, 1980, that the Capitol Hill Restoration Society Board has voted unanimously to oppose the application.

Based on the foregoing reasons, the Commission therefore hereby orders that the application for rezoning of lot 844 in Square 717 be denied without a hearing.

Vote of the Commission at its public meeting held on January 10, 1980: 5-0(Theodore F. Mariani, Walter B. Lewis, Ruby B. McZier, John G. Parsons and George M. White to deny without a hearing).



THEODORE F. MARIANI
Chairman
Zoning Commission



STEVEN E. SHER
Executive Director
Zoning Secretariat